

1996 EXCLUDED EMPLOYEE TRAVEL RULE REVISIONS - SUMMARY

Attached are the proposed excluded employee rule revisions. If there is currently an excluded employee rule in force, there is a proposed revision. If there is currently a generic rule that applies to both excluded and represented employees, then we have developed a "new" rule, generally based on the subject and content of the generic rule, but dedicated to excluded employees. The "new" rules are totally underscored. This summary will help you pick out the highlights in those rules that are totally underscored.

These rules and revisions are proposed to be adopted effective 1/1/96. This package does not contain rules that apply to represented employees, volunteers or persons being recruited from outside state service.

599.615.1 SCOPE - EXCLUDED EMPLOYEES (new from 599.615)

Clarifies State's authority to control travel, clarifies that travel is approved and expenses are incurred in order to conduct official State business; strengthens signature office's responsibility in certifying travel; states receipt requirement at \$25 and more unless otherwise specified.

599.616.1 - DEFINITIONS - EXCLUDED EMPLOYEES (new from 599.616)

adds Long Term Assignments, other clarifications.
States 50 mile distance from headquarters for per diem.

599.619 - REIMBURSEMENT FOR MEALS AND LODGING - EXCLUDED EMPLOYEES (revised)

Clarifies non-claimables to lodging and/or meals provided at no cost to the employee, places this item in introduction to the rule, refers to 624.1 (Contracting for Meals/lodging).

(a) Eliminates non-receipted lodging of \$24.99 and \$37 meals/incidentals as an option when no lodging receipts are available.

Establishes leave and return times for claiming of meals on trips of more than 24 hours; specific time frames for the claiming of meals for partial days of less than 24 hrs (mirrors represented employee time frames)

(b&c) Increases noncommercial and long term lodging rate to \$24 to match \$24 meal rate (tot. \$48)

(c) Provides a new option for of reimbursement for long term assignments: up to \$1130 for receipted rent and utilities and \$10 per 24 hours for meals and incidentals.

(d) Defines out of state travel

(e) Provides short term out of country actual lodging and meals/inc. at Fed. Govt. rate; provides for DPA/Appointing Power negotiations on long term out of country rates.

(f) Provides for Appointing Powers to make exceptions

Misc. clarification and rearrangement of rule items

599.623 - MISCELLANEOUS MEAL EXPENSES - EXCLUDED EMPLOYEES (revised)

- (a) provides for the reimbursement of an "overtime" meal for other than WWG 2 employees under certain circumstances
- (b) clarifies Business Meals; clarifies that rates are as in 599. 619

599.624.1 - CONTRACTING FOR MEAL AND/OR LODGING EXPENSES - EXCLUDED EMPLOYEES (New)

Adds provision that departments may contract for groups or individuals at or below the maximum meal/lodging rates.

- (d) limits individual reimbursement to that which is contracted for under this rule should the employee attend the function and not use the contracted facilities.

599.625.1 - RECEIPTS - EXCLUDED EMPLOYEES (revised)

- (a) combines receipt requirement exception for misc. fares, tolls, shuttle, (previous \$25), and parking (previously \$6), to \$10.
- (b) removes lost receipt disclaimer, provides that items not satisfactorily explained may not be reimbursed.
- (c) provides that appointing power may require additional substantiation.

599.626.1 TRANSPORTATION EXPENSES - EXCLUDED EMPLOYEES (NEW FROM 599.626)

(DEVELOPED FROM A PORTION OF 599.626. Sections of 599.626 that applied to remote headquarters have been moved to 626.2, and sections that applied to aircraft have been moved to new rule 599.628.1)

- (b) adds cost comparison requirement
- misc. clarification language

599.626.2 - REMOTE HEADQUARTERS - EXCLUDED EMPLOYEES - (NEW FROM 599.626)

moves language from existing rule 599. 626; extends "remote" to 50 miles from headquarters to available housing; minor clarification lang.

599.627.1 SPECIAL TRANSPORTATION - EXCLUDED EMPLOYEES (NEW FROM 599.627)

Minor clarification language

599.628.1 - TRANSPORTATION BY AIRCRAFT - (NEW FROM 599.628)

Absorbs some language deleted from existing rule 599.626; increases insurance requirements to be consistent with industry standards, maintains existing flight time requirements, minor clarification language throughout.

599.629.1 - RAILROAD TRANSPORTATION - EXCLUDED EMPLOYEES (NEW FROM 599.629)

Changes deportation language to direct referral to INS

599.631 - TRANSPORTATION BY AUTOMOBILE - EXCLUDED - (REVISED)

Adds clarification language.

599.633.1 - TRAVEL REIMBURSEMENTS WHILE ON SICK LEAVE, VACATION, OTHER PAID LEAVE, OR CTO -EXCLUDED EMPLOYEES (NEW FROM 599.633)

clarifies, assigns authority for extension to appointing power

599.635.1 - ATTENDING CONVENTIONS AND CONFERENCES - EXCLUDED EMPLOYEES (NEW FROM 599.635)

Expands State sponsored conferences/conventions to allow more flexibility in planning and contracting for functions; states items specifically excluded from reimbursement. Removes \$150 lodging limit on non-state sponsored conferences

599.636.1 - RETURN OF DECEASED EMPLOYEE - EXCLUDED (NEW FROM 599.636)

Adds more flexibility and clarification.

599.638.1 - EXPENSE CLAIM FORM - EXCLUDED EMPLOYEES (NEW FROM 599.638)

clarification language only

DEPARTMENT OF PERSONNEL ADMINISTRATION

Article 2. Traveling Expenses

599.615.1 Scope - Excluded Employees.

(a) It is the purpose of this Article to provide and define reimbursement for the actual and necessary out-of-pocket expenses incurred by state officers, employees, and agents because of travel on official state business. Each state agency may determine the time and method of travel, location and lodging. Each State agency shall determine the necessity for travel and that such travel represents the best interest of the State. Once the necessity and method of travel, location and lodging have been determined, reimbursement shall be governed by these sections. The signature of the officer approving travel and payment is certification that the approving party has authorized the travel, that the expenses were incurred in order to conduct official state business and that the items claimed are appropriate and in keeping with these rules. State agencies shall not have discretion to provide reimbursement at a lower amount unless such discretion is specifically authorized by rule. Unless otherwise specified, receipts are required for each item of expense of \$25.00 or more.

(b) For the purpose of regulations governing claims for reimbursement an excluded employee is: an employee as defined in Section 3527(b) of the California Government Code (Ralph C. Dills Act); a non-elected officer or employee of the executive branch of government who is not a member of the civil service.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

599.616.1 Definitions -- Excluded Employees.

For the purposes of this Article, the following definitions will apply:

(a) Headquarters. Headquarters shall be established by the appointing power for each state officer and employee and shall be defined as the place where the officer or employee spends the largest portion of his/her regular workdays or working time, or the place to which he/she returns on completion of special assignments, or as the Department of Personnel Administration may define in special situations.

(1) Where an office building or similar definite place constitutes the employee's headquarters, no per diem expenses shall be allowed at any location within 50 miles of said headquarters as determined by the normal commute distance.

(2) Where the major portion of an employee's working time is spent within a specifically assigned or limited geographical area, such as a patrol area or beat where the same routes are traveled frequently and routinely on one-day trips, no per diem expenses shall be allowed at any location within 50 miles from any point in this assigned area as determined by the normal commute distance.

In order to insure equity in special cases, agency heads may disregard this subsection and authorize individual claims based on subsection (1) of this rule.

(3) In cases where adherence to the 50-mile limitation creates an unusual and unavoidable hardship to the officer or employee, exceptions may be granted by the appointing power.

(4) Employees on travel status for less than 24 hours may claim subsistence expenses incurred before, during, or after the regularly scheduled workday in accordance with Section 599.619.1(a).

(b) Residence. A place of primary dwelling shall be designated for each state officer and employee. A primary dwelling shall be defined as the actual dwelling place of the employee which bears the most logical relationship to the employee's headquarters and shall be determined without regard to any other legal or mailing address. However, if an employee is temporarily required to dwell away from his/her primary dwelling place due to official travel away from headquarters, and said primary dwelling is either inhabited by his/her dependents or is maintained by the employee at a net monthly expense in excess of \$200, such dwelling place may be continued as the employee's designated primary dwelling.

(1) No reimbursement for per diem or other subsistence expenses shall be allowed on the premises of an employee's primary dwelling.

(2) An employee shall have only one dwelling at which travel expenses are prohibited.

(3) When an employee maintains more than one dwelling, meeting the definition of residence set forth in Section 599.616.1(b) and the employee is required to officially travel to the location of the secondary dwelling, he/she may claim the noncommercial subsistence allowance rates defined in Section 599.619.1(b).

(c) Travel Expenses. Travel expenses include:

(1) Meals and Lodging incurred as a result of business travel away from headquarters in order to conduct State business.

(2) Transportation expenses incurred in order to conduct State business.

(d) Business Expenses. Business expenses consist of the charges for business phone calls and telegrams; emergency clothing, equipment or supply purchases; and all other charges necessary to the completion of official business. Any emergency purchase shall be explained, and if over \$25

must be approved by the department head, deputy, or chief administrative officer.

(e) Protective Services. A member of the California Highway Patrol assigned as provided by Government Code Section 14615 may claim subsistence allowance for in-state travel as follows:

(1) If expenses are actually incurred by the employee as a result of traveling with the protected individual exceed the maximum meal and lodging rates authorized in 599.619 for in-state travel, the employee may claim their actual expenses by providing receipts.

(2) Any expense claim submitted under (1), must contain a certification by the Commissioner of the California Highway Patrol naming the individual being protected and verifying that the travel expenses were incurred while the claimant was assigned to protect said individual.

(3) Claims submitted under this section shall not be subject to the limitations of Section 599.616.1(a).

(f) Long Term Assignment. Any assignment of 31 days or more to a given location other than headquarters. A Long Term Assignment is typically given for a project status job that requires the extended presence of an employee for a period in excess of 31 days but is not considered permanent due to the temporary nature of the assignment, the appointment, or scheduled completion date of the project. The employee's return home for weekends or incidental short term travel to another location does not break the continuity of a long term assignment.

Note: Authority cited: Sections 19815.4(d), 19816, 19820(a) and 19849.5, Government Code.

Reference : Sections 11030 and 14613 Government Code.

599.619. ~~Subsistence Allowance~~ Reimbursement for Meals and Lodging-Excluded Employees.

~~An excluded employee is defined in section 599.615(b) of these regulations.~~

The ~~excluded~~ employee on travel status shall be reimbursed actual expenses for lodging, meals and incidentals expenses as provided in this section, unless directed to travel under the provisions of 599.624.1. Lodging and/or meals provided by the state or included in hotel expenses or conference fees, or in transportation costs such as airline tickets, or otherwise provided shall not be claimed for reimbursement. Snacks and continental breakfasts, such as rolls, juice and coffee, are not considered to be meals. The circumstances of travel will determine the rate allowed.

(a) Short-term Travel. Reimbursement for short-term subsistence will be authorized only when the traveler incurs expenses ~~comparable to those arising from the use of good~~ reasonable, moderately priced commercial lodging and meal establishments, such as hotels, motels, bed and breakfast inns, restaurants, cafes, diners, etc. that catering to the general public. Lodging receipts are required. The short-term rate is intended for trips of such duration that weekly or monthly rates are not obtainable and will be discontinued after the 30th consecutive day assigned to in one location unless ~~a continuation~~ an extension has been previously documented and approved by the appointing power. ~~After 30 consecutive days in one location an employee may claim the~~

~~long term allowance.~~ In extending short term travel, the appointing power shall consider the expected remaining length of the travel assignment.

(1) In computing reimbursement for continuous short term travel of more than 24 hours and less than 31 consecutive days, the ~~excluded~~ employee will be reimbursed for actual costs up to the maximum allowed for each meal, incidental, and lodging expense for each complete 24 hours of travel, beginning with the traveler's times of departure and return, as follows.

(A) On the first day of travel on a trip of 24 hours or more:

<u>Trip begins at or before 6am:</u>	<u>breakfast may be claimed on the first day</u>
<u>Trip begins at or before 11am:</u>	<u>lunch may be claimed on the first day</u>
<u>Trip begins at or before 5pm:</u>	<u>dinner may be claimed on the first day</u>

(B) On the fractional day of travel at the end of a trip of more than 24 hours:

<u>Trip ends at or after 8am:</u>	<u>breakfast may be claimed</u>
<u>Trip ends at or after 2pm:</u>	<u>lunch may be claimed</u>
<u>Trip ends at or after 7pm:</u>	<u>dinner may be claimed</u>

If the fractional day includes an overnight stay, receipted lodging may be claimed. No meal or lodging expense may be claimed or reimbursed more than once on any given date or during any 24 hour period.

Each item of expense of \$25.00 or more must be substantiated with by providing a receipt. ~~(C) The maximum~~ Reimbursement shall be for actual expenses, at subject to the following maximum rates:

~~(1)~~ Meals:

Breakfast	\$ 5.50
Lunch	\$ 9.50
Dinner	\$17.00
Supplement Incidentals	\$ 5.00
Total	\$37.00

Receipts are not required for regular short term travel meals.

~~(2)~~ Lodging:

~~(A) Statewide, no receipts~~ ~~Up to \$24.89~~

~~(B) Statewide, with receipts~~ Actual up to \$79.00 plus tax

If lodging receipts are not submitted, meal and lodging reimbursement will be at the noncommercial rates stated in (b) below.

~~(C) DPA may delegate authority to appointing powers to approve lodging expenses in excess of the established lodging rates. Reimbursement of lodging expenses in excess of the delegated amounts requires advance written approval from DPA.~~

~~(3) For travel which is the last fractional part of a period of travel of more than 24 hours, the actual cost up to the maximum reimbursement for meals or lodging will be paid provided the travel time meets the following requirements:~~

- ~~-if the travel extends to or past 8 a.m., a breakfast may be claimed;~~
- ~~-if the travel extends to or past 2:00 p.m., a lunch may be claimed;~~
- ~~-if the travel extends to or past 7 p.m., a dinner may be claimed;~~

~~if travel extends overnight lodging may be claimed.~~

~~No meal or lodging expense may be claimed or reimbursed more than once on any given date.~~

~~(4) (2) In computing reimbursement for continuous travel of less than 24 hours, providing that the departure time or return time exceeds the regularly scheduled work day by one hour, the actual cost expenses, up to the maximums in (C) above, will be reimbursed allowed for the following breakfast and/or dinner and/or lodging will be authorized when appropriate expenses have been incurred in accordance with the following timeframes:~~

~~Travel begins at or before 6 a.m. and ends at or after 9 a.m.: Breakfast may be claimed.~~

~~Travel begins at or before 4 p.m. and ends at or after 7 p.m.: Dinner may be claimed.~~

~~If the trip of less than 24 hours includes an overnight stay, receipted lodging may be claimed.~~

~~No lunch or incidentals may be reimbursed on travel of less than 24 hours.~~

~~Breakfast..... \$ 5.50~~

~~Dinner.....\$17.00~~

~~Lodging.....(as defined in Section (a)(2)(A)(B)(C))~~

~~(5) If a meal is included in a conference fee, transportation cost such as an airline ticket, or otherwise provided, that meal shall not be claimed for reimbursement as a meal expense.~~

~~(b) Long-term Travel. Reimbursement for long term subsistence will be authorized when the traveler incurs expenses in one location comparable to those arising from the use of establishments catering to the long term visitor. Reimbursement shall be paid in accordance with procedures prescribed by the Department of Personnel Administration. Noncommercial Travel. Reimbursement for noncommercial subsistence will be authorized when the overnight traveler does not submit a lodging receipt, or does not stay in a commercial establishment but incurs expenses arising from the use of noncommercial facilities such as, but not limited to, house trailers and camping equipment or when staying with friends or relatives, or in a secondary residence. An employee may claim \$24.00 for meals and incidentals and \$24.00 for lodging for travel of 12 hours up to 24 hours; either \$24.00 for meals or \$24.00 for lodging for travel less than 12 hours.~~

~~(1) An employee on long term field assignment who maintains a permanent residence elsewhere while living at the job location may claim \$24.00 for meals and incidentals and \$23.00 for lodging for travel of 12 hours up to 24 hours; either \$23.50 for meals or \$23.50 for lodging for travel less than 12 hours if one of the following exists:~~

~~(A) The permanent residence is occupied by employee's dependents, or~~

~~(B) The permanent residence is maintained at a net expense to the employee exceeding \$200 per month.~~

~~To qualify for this rate, an employee must submit substantiating evidence of either condition to the appointing power in accordance with its requirements.~~

~~(2) An employee on long-term field assignment who does not maintain a permanent residence away from the job site may claim \$12.00 for meals and incidentals and \$11.50 for lodging for travel of 12 hours up to 24 hours; either \$12.00 for meals or \$12.00 for lodging for travel less than 12 hours.~~

(c) Noncommercial Travel Long-term Travel. Reimbursement for long-term meals and lodging will be authorized when the traveler incurs expenses in one location comparable to those arising from the use of commercial establishments catering to the long-term visitor. Reimbursement for noncommercial subsistence will be authorized when the traveler incurs expenses comparable to those arising from the use of noncommercial facilities such as, but not limited to, house trailers and camping equipment or when staying with friends or relatives. Meals and/or lodging provided by the state shall not be claimed for reimbursement. With approval of the appointing power and upon meeting the criteria in (3) below, an employee on long-term field assignment who is living at the long term location may claim either:

~~(1) An excluded employee may claim Without receipts, \$24.00 for meals and incidentals and \$23.00 \$24.00 for lodging for travel of 12 hours up to 24 hours; either \$23.50 \$24.00 for meals or \$23.50 \$24.00 for lodging for travel less than 12 hours., or~~

(2) Reimbursement for actual individual expense, substantiated by receipts, for lodging, utility gas and electricity, up to a maximum of \$1130 per calendar month while on the long term assignment, and

\$10.00 for meals and incidentals, without receipts, for each period of 12 to 24 hours; \$5.00 for meals and incidentals for periods of less than 12 hours at the long term location

(3) To claim expenses under either (1) or (2) above the employee must meet the following criteria:

(A) the employee continues to maintain a permanent residence at the primary headquarters and

(B) The permanent residence is occupied by employee's dependents, or

(C) The permanent residence is maintained at a net expense to the employee exceeding \$200 per month.

(D) The employee must submit substantiating evidence of these conditions to the appointing power in accordance with its requirements.

(4) Employees who do not meet the criteria to claim (1) or (2) above may claim \$12.00 for meals and incidentals and \$12.00 for lodging for every 12 to 24 hours at the long term location; \$12 for meals OR lodging for periods of less than 12 hours at the long term location.

(5) With approval of the appointing power, the reimbursement of long term lodging may continue when the employee is away from the long term location on short term business travel or other absences from that location as approved by the appointing authority.

(d) Out-of-State Travel. Out-of-state travel is any travel outside the State of California for the purpose of conducting business outside the State of California. For short-term out-of-state travel, employees will be reimbursed for actual lodging expenses, supported by a receipt, and will be reimbursed for meal and incidental expenses as defined in Section 599.619(a)(1). Failure to furnish lodging receipts will limit reimbursement to the lodging noncommercial travel rate specified in Section 599.619(a)(2)(A) (b). ~~Noncommercial out of state travel will be reimbursed according to Section 599.619(c).~~ Long-term out-of-state travel will be reimbursed according to Section 599.619(b) (c).

(e) Out-of-Country Travel. For short-term out-of-country travel, employees will be reimbursed for actual lodging expenses, supported by a receipt, and will be reimbursed for actual meal and incidental expenses ~~as defined in Section 599.619(a)(1)~~ subject to maximum rates in accordance with the published Government meal and incidental rates for foreign travel for the dates of travel. Failure to furnish lodging receipts will limit reimbursement to the lodging noncommercial rate specified in Section 599.619(a)(2)(A) (b). Long-term out-of-country travel will be reimbursed according to Section 599.619(a) through (c).

(f) Exceptions to reimburse in excess of the maximum lodging rate cited in (a) of this rule may be granted these provisions to provide higher subsistence allowances may be approved in advance by the Appointing Power only Director of the Department of Personnel Administration in an emergency, or when there is no lodging available at the State maximum rate or when it is cost effective. DPA may delegate authority to appointing powers to approve lodging expenses in excess of the established lodging rates. The Appointing Power shall document the reasons for each exception and shall keep this documentation on file for three calendar years from the date of the exception.

NOTE: Authority cited: Sections 3539.5, 19815.4(d), 19816 and 19820, Government Code.

Reference: Sections 3527(b) and 11030, Government Code.

599.623. Miscellaneous Meal Expenses-Excluded Employees.

~~An excluded employee is defined in Section 599.615(b) of these regulations.~~

(a) Overtime Meals. When an employee assigned to work week group 2 is required to work overtime, he/she may receive an overtime meal allowance reimbursement of up to \$8.00. To be eligible, the employee must be required to report to work at least two hours prior to or remain at least two hours past his/her regularly scheduled work day, or work a minimum of 10 hours on a regularly scheduled day off or holiday.

When required to work for extended periods of time, the employee may be reimbursed for meal expenses prescribed herein for each additional six-hours of overtime worked period. No more than three overtime meal allowances may be claimed during any 24-hour period. The meal time itself shall not be included in the computation of overtime for purposes of this allowance section.

~~Agencies operating facilities for feeding officers, employees, and official guests may furnish an official guest meal to an excluded employee. In lieu of overtime meal reimbursement, agencies operating food service facilities may furnish an overtime meal to an excluded employee.~~ Agencies shall maintain a record of all guest-meals furnished for this purpose. An excluded employee may not claim reimbursement for an overtime meal or be furnished a meal free of charge if claiming per diem travel meals.

Meals for Extended Arduous Work . On those rare occasions when an employee who is in a work week group other than work week group 2 would be required to physically or mentally work 10 hours or more (not including any breaks for meals) for an extended period of time, the employee, with approval of the appointing authority, may claim the actual cost of an arduous work meal up to \$8.00. Such meals should only be approved when it is clear that the work schedule is consistently in excess of a normal full time schedule. Occasional extra hours worked, consistent with the nature of an other than Work Week Group 2 work schedule, do not meet the criteria for Extended Arduous Work Meals.

(b) Business-Related Meals. When it is necessary for an excluded employee to conduct official state business during a meal, he/she may be reimbursed for actual meal expenses up to the maximums prescribed in Section 599.619(a)(1). This section is intended to allow an agency to reimburse employees for meal expenses in the limited number of instances where they are required to incur such expenses in connection with the conduct of official state business with a person or persons from outside state government.

When it is necessary for an excluded employee to conduct official state business during a meal, he/she may be reimbursed for actual meal expenses, supported by a receipt, up to the maximums prescribed in Section 599.619(a)(1). Claims must include the establishment, the persons in attendance, the business conducted and the reason why the business had to be conducted during the meal period.

Business meals are not reimbursable when departments call meetings with their own and/or other department employees to conduct state business.

(1) To claim reimbursement for a business-related meal, the circumstances surrounding the meal must be beyond the control of the excluded employee and it must be impractical to complete the business during normal working hours, such as:

(A) to conduct state business with a person or persons from outside state service when availability of the person or persons is limited and it is imperative that business is conducted during the meal period, or

(B) to attend a board or commission meeting where attendance is mandatory and there is no adjournment during the meal period. ~~An excluded employee may not claim reimbursement for a business-related meal if he/she is claiming per diem.~~

(2) Claims for meal expenses where business is incidental to the meal or the attendance of the excluded employee is primarily for public or community relations are specifically prohibited.

~~This section is intended to allow an agency to reimburse excluded employees for meal expenses in the limited number of instances where they are required to incur such expenses in connection with the conduct of official state business.~~ (c) Meals of Appointees. Members of non-salaried boards, commissions, and duly constituted advisory committees may be reimbursed for actual expenses up to the maximums prescribed in Section 599.619(a)(4) when attending board, commission, and committee meetings. The restrictions of Section 599.616 do not apply. They may not claim this if they are also claiming subsistence allowance while on travel status.

While on travel status other than attending board, commission or committee meetings, appointees may be reimbursed for expenses prescribed in Section 599.619.

(d) Excluded employees of the Department of Forestry engaged in emergency fire suppression activities may be reimbursed for actual meal expenses without regard to ~~any mileage and time frame limitations to the extent that circumstances reasonably require such an exception.~~ Emergency fire suppression activities are defined as actions taken under emergency conditions to extinguish uncontrolled fires which threaten to destroy life, property, or resources.

~~(e) Exceptions to these regulations may be approved in advance by the Department of Personnel Administration.~~ Agencies operating facilities for feeding officers, employees and official guests may furnish an official guest meal to an employee. Agencies shall maintain a record of all guest meals furnished for this purpose. An employee may not claim reimbursement for a travel or overtime meal that has been provided as a guest meal.

NOTE: Authority cited: Sections 3539.5, 19815.4(d), 19816 and 19820, Government Code.

Reference: Section 11030, Government Code.

599.624.1 Contracting for Meals and/or Lodging Expenses - Excluded Employees.

Appointing authorities may enter into agreements with restaurants, hotels, and lodging establishments for the furnishing of subsistence to state employees at or below the rates provided in these rules when such method of handling is advantageous to the State. When such agreements are entered into, the vendor may receive payment either from the employee, a group leader or by billing the State on a regular itemized invoice.

(a) Group leaders who pay subsistence expenses for other personnel may claim reimbursement by submitting a vendor's invoice and a list of names of the employees whose expenses were paid.

(b) Individuals who have specific meal and/or lodging expenses paid by the group leader or department may not claim reimbursement for those meal and lodging expenses per 599.619.

(c) The total payment under any such agreement shall not exceed the aggregate of the subsistence allowances otherwise claimable by the participating employees.

(d) No individual's reimbursement shall exceed the rate(s) negotiated under the provisions of this section or the maximum subsistence rates provided in these rules, whichever is less.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

599.625.1. Receipts or Vouchers -- Excluded Employees.

An excluded employee is defined in Section 599.615(b).

(a) Receipts are required for each item of expense of \$25.00 or more. As specified in this rule, receipts are also required for items of expense of less than \$25.00. Receipts or vouchers shall be submitted with claims for every item of business expense incurred while away from headquarters conducting state business except for actual expenses as follows:

(1) Railroad and bus fares of less than \$25.00, where the fares are available in published tariffs, and when travel is wholly within the State of California. However, vouchers must be submitted in the case of cash purchases of airplane travel, Pullman accommodations, or extra fare train, travel by any common carrier outside of the State except taxi or hotel bus fares.

(2) Street car, ferry fares, bridge and road tolls, local rapid transit system, taxi, shuttle or hotel bus fares, and parking fees of less than \$25.00 \$10.00 or less for each continuous period of parking or each item of transportation expense noted in this item.

(3) Long distance telephone, or telegraph, fax or other business charges related to State business of \$5.00 or less, if date, place and party called are shown, unless the telephone call is in excess of \$2.50 in which case vouchers or other supporting evidence shall be provided

(4) Taxi or hotel bus fares of less than \$25.00, when necessary upon official business.

(5) All legal expenditures of \$1 or less.

(6) Parking fees of \$6.00 or less for any one continuous period of parking.

(b) In cases where receipts cannot be obtained or have been lost, a statement to that effect shall be made and a satisfactory explanation given on the travel expense claim. In the absence of a receipt, reimbursement shall be limited up to \$24.00 the non-receipted amount above. In the absence of satisfactory explanation no reimbursement shall be allowed.

(c) Regardless of the exceptions in (a) above, the authority approving the claim and/or the appointing power may require any additional verification, or information, he/she deems necessary to determine that an expense was actually and reasonably incurred. In the absence of satisfactory explanation no reimbursement shall be allowed. If there is reason to believe that inappropriate non-

receipted expenses have been claimed, receipts may be required for each item of expense listed above for future travel.

NOTE: Authority cited: Sections 3539.5, 19815.4(d), 19816 and 19820, Government Code.

Reference: Section 11030, Government Code.

599.626.1 Transportation Expenses - Excluded Employees.

(a) Transportation expenses consist of the charges for commercial carrier fares; private car mileage allowances; emergency repairs to state cars; overnight and day parking of state or privately-owned cars; bridge and road tolls; necessary taxi, bus, or streetcar fares; and all other charges essential to the transport from and to the official headquarters while on authorized state business.

(b) Reimbursement will be made only for the method of transportation which is in the best interest of the State, considering both direct expense as well as the officer's or employee's time. Provided the mode of transportation selected does not conflict with the needs of the agency, the officer or employee may use a more expensive form of transportation and be reimbursed at the amount required for the least expensive mode of travel that is in the best interest of the state. Both modes of transportation will be shown on the travel claim with reference to this section. A cost comparison shall be completed and attached to the claim. Cost comparisons shall include only the least costly methods of transport for those expenses actually being substituted, and shall include only the expenses of traveling from one location to another. Transportation expense at the travel work location will be reimbursed based on the actual business transportation expenses incurred while at the travel location.

(c) Expenses arising from travel between home or garage and headquarters shall not be allowed regardless of the employee's normal mode of transportation. When a trip is commenced or terminated at claimant's home, the distance traveled shall be computed from either his/her headquarters or home, whichever shall result in the lesser distance.

Exceptions to the above are:

(1) Where such expenses are incurred by call back to work necessitating more than one trip to the work location on a normal work day or by reason of any call back or pre-scheduled work on an employee's normal day off.

(2) When travel to or from a common carrier commences or terminates one hour before or one hour after the regularly scheduled work day or on a regularly scheduled day off, distance may be computed from the employee's residence in accordance with Section 599.631.

(3) When the criteria in 599.626.2 for remote headquarters are met.

(d) When an employee's regular work assignment requires him/her to rotate among two or more posts or work stations at different geographic locations and he/she is instructed to report to a

designated post, the reimbursable distance from his/her home to the designated post and return shall be limited to that which exceeds the round trip distance from his/her home to his/her designated headquarters. Reimbursement shall be computed at the rate set forth under Section 599.631.

(e) No reimbursement will be allowed for transportation expense when the employee uses a privately-owned motorcycle or motor-driven cycle in the conduct of state business.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

599.626.2. Remote Headquarters - Excluded Employees.

When the headquarters of a permanent, full-time employee is located 50 or more road miles one way from the nearest residential area with available housing, the appointing power may authorize payment of expenses incurred by an employee in the use of a privately-owned vehicle to commute.

(a) The appointing power is required to maintain records with regard to the location of the nearest residential area with available housing and amount of mileage to be paid. Any reimbursement will terminate immediately upon the development of available housing within 50 miles of the headquarters.

(b) Reimbursement will be at the rate provided in Section 599.631(b) for distance driven and authorized in accordance with this rule and being in excess of 100 miles round trip.

(c) The term "available housing" as used in this subsection is intended to relate primarily to the quantity of housing available and not to its quality or cost.

(d) Distance will be computed from a location within the selected nearest residential area to the employee's work headquarters by the most direct road route and not the actual miles driven.

(e) If an employee's residence is not located in the designated residential area, but is more than 100 miles round trip from his/her remote location headquarters, he/she may be reimbursed for travel from his/her residence or from the selected location within the designated residential area, whichever is less.

(f) Payments will be authorized only if the appointing power has determined that the employee cannot participate in a department-sponsored car or van pool.

(g) An employee whose headquarters is designated as remote and who lives in the designated residential area who is required to report to a work site other than headquarters for a particular day, and who is required to use his/her own vehicle shall receive payment for the round trip from the designated residential area to the work site.

(h) An employee whose headquarters is designated as remote and who lives less than 50 miles from headquarters, who is required to report to a work site other than headquarters for a

particular day, and who is required to use his/her own vehicle shall receive payment for the round trip from his/her own residence to the work site or his/her headquarters to the work site, whichever is less.

(i) An employee whose headquarters is designated as remote, who does not live in the designated area but lives more than 50 miles from his/her headquarters, who is required to report to a work site other than headquarters for a particular day and who is required to use his/her own vehicle shall receive payment for the actual round-trip distance by the most direct route, not to exceed:

(1) The distance from the designated residential area to the worksite, or

(2) The distance from the employee's headquarters to the work site, whichever is greater.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

599.627.1 Special Transportation - Excluded Employees.

(a) Where it is authorized and necessary to hire special conveyances, except automobiles, a full explanation, stating the facts constituting the necessity, shall accompany the expense claim.

(b) Commercial Automobile Rental.

(1) Reimbursement will be for actual and necessary costs of such rental when substantiated by a receipt. Where it is necessary to pay extra charges or premium rental rates for a larger vehicle or one that is specially equipped, a full explanation shall accompany the expense claim. Reimbursement of the additional expenses shall be subject to approval by the appointing power.

(2) Reimbursement will not be made for a damage waiver. Reimbursement will be made to the officer or employee for any loss necessarily sustained by him/her not having purchased such waiver.

(c) Where a privately owned bicycle is used in the conduct of official state business, the employee will be allowed to claim 4 cents per mile.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

599.628.1. Transportation by Aircraft - Excluded Employees.

In the determination of fare or mileage reimbursement for transportation by airplane, the point of origin and return shall be an appropriate airport facility serving the area of the employee's residence or headquarters, whichever is most advantageous for the State.

(a) Scheduled Airline. Reimbursement of expenses for transportation by scheduled airline shall be at the current contract rate; except that when the employee's actual airfare is lower, the lower amount shall be reimbursed. Claims for reimbursement of higher fares or extra charges for transportation by scheduled airline may be allowed if accompanied by a full explanation stating the facts constituting the official necessity, and approved by the appointing power.

(b) Privately-Owned Aircraft. A claim of an employee for transportation by privately-owned aircraft shall be allowed where he/she has obtained prior approval of the use of this form of transportation from his/her department. If an employee is to act as pilot, he/she must satisfy the following insurance requirements:

(1) certificate of current insurance in an amount of not less than \$50,000 per person liability.

(2) certificate of current insurance in an amount of not less than \$1,000,000 liability per incident.

(3) Reimbursement for the use of the employee's privately-owned aircraft shall be made at the rate of 50 cents per statute mile. Claims for reimbursement for privately-owned aircraft expenses must include the civilian airplane license number and the name of each state officer, employee, or board, commission, or authority member transported on the trip. No reimbursement of transportation expenses will be allowed any employee while a passenger in any airplane operated by another officer, employee or member.

(A) Distance shall be computed on the basis of shortest air route from origin to destination, using airways whenever possible. Distance shown on claim shall be clearly marked "Air Distance."

(B) When the trip is limited solely to state business and the "Air Distance" cannot accurately be computed from origin to destination, the department director may authorize reimbursement for the actual cost of renting a plane.

(4) Reimbursement for use of a rented aircraft will be for actual and necessary costs of such rental when substantiated by a receipt.

(A) Reimbursement will be authorized only for the size and type aircraft necessary to complete the assignment.

(5) When substantiated by a receipt, reimbursement will be made for actual and necessary expenses for landing and parking fees in connection with the use of the aircraft. Reimbursement will not be allowed for storage or parking fees at the location where the privately-owned aircraft is normally stored.

(6) If an employee is to act as pilot and carry passengers he/she must, in addition to Federal Aviation Administration Regulations, have previously logged as a certified pilot, at least 250 hours of actual flight as pilot in command of an aircraft, and have logged, as a certified private pilot in command of an aircraft, at least 40 hours of actual flight within the preceding 12 months.

Any employee pilot who has carried or intends to carry passengers may be required to present his/her log book substantiating that he/she meets the requirements. Passenger shall be defined as any person other than the pilot traveling in the aircraft. An employee pilot who carries a passenger but fails to meet the above qualifications shall not be reimbursed for transportation expense.

(c) Payment of Fare. Payment for transportation by aircraft may be made by (1) cash, (2) credit card, or (3) ticket order. When payment is made by cash, the travel expense claim must be accompanied by the traveler's flight coupon, in accordance with Section 599.625(a)(1). If no flight coupon was issued, as may be the case with chartered or private aircraft, a formal receipt must be submitted. If payment was made by credit card or by ticket order, this should be noted on the travel expense claim.

(d) Air Travel Insurance. Any state agency may insure its officers and employees against injury or death arising from aircraft accidents incurred while flying on state business in other than regularly scheduled passenger aircraft, subject to the following conditions:

(1) Insurance shall be provided only to those employees who are directed to fly to fulfill their work requirements. Insurance coverage shall not be provided when the use of a privately-owned aircraft is for point-to-point transportation and is a voluntary response from the employee, even though such use may be advantageous to the State.

(2) Application for insurance shall be submitted to, and the insurance procured by, the Department of General Services.

(3) Except as provided in subsection (4) below, the maximum limit of such insurance shall be \$15,000 in the case of death or dismemberment for each officer and employee.

(4) For excluded employees, as defined in Section 599.619.1, the maximum limit for air travel insurance shall be \$50,000 in the case of death or dismemberment for each officer and employee.

NOTE: Authority cited: Sections 19815.4(d), 19816, and 19820, Government Code.
Reference: Sections 11030 and 11030.5, Government Code.

599.629.1 Railroad Transportation - Excluded Employees.

(a) No more than actual fare on any transportation service, in accordance with the latest tariffs at the time the trip was made, shall be allowed. Special rates and round-trip rates shall be used whenever possible.

(b) Reimbursement for roomette or Pullman accommodations will be allowed. Where it is necessary to use Pullman accommodations more expensive than a roomette, a full explanation stating the facts constituting the official necessity shall accompany the expense account together with a receipt.

(c) Unused portions of railroad and sleeping car tickets are subject to refunds and all steps necessary to secure refunds on such tickets shall be taken.

(d) Any unusual delay or a deviation from the shortest, usually travelled route shall be explained.

(e) Any expenses related to deportation will be reimbursed in accordance with Federal Immigration and Naturalization Service rules.

(f) Meals incurred while on overnight train travel will be reimbursed in accordance with Section 599.619.

(g) Tickets for rail transportation or Pullman accommodations may be purchased by the individual, by credit card, or ticket order. If purchased by credit card or by ticket order, this fact should be noted on the individual's expense claim.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

599.631. Transportation by Privately Owned Automobile-Excluded Employees.~~An excluded employee is defined in Section 599.615(b).~~

~~(a) Where the excluded employee is authorized to use a privately owned automobile on official state business a the reimbursement rate shall be of up to 24 cents per mile will be allowed without certification and up to 30 cents per mile with certification that the cost of operating the vehicle meets or exceeds the rate claimed. Claims for reimbursement for private vehicle expenses must include the vehicle license number and the name of each state officer, employee or board, commission or authority member transported on the trip. No reimbursement of transportation expense shall be allowed any passenger in any vehicle operated by another state officer, employee or member. The Department of Personnel Administration may establish appropriate controls over payment of this allowance by a state agency where the Department reasonably believes that proper control has not been exercised by the agency.~~

(1) Expenses arising from travel between home and headquarters or garage shall not be allowed, except as provided in 599.626.1(c) or 626.2, regardless of the employee's normal mode of transportation.

(2) When a trip is commenced or terminated at a claimant's home on a regularly scheduled work day, the distance travelled shall be computed from either his/her residence or headquarters, whichever shall result in the lesser distance except as provided in 599.626.1(c).

(3) However, if the employee commences or terminates travel on a regularly scheduled day off, mileage may be computed from his/her residence.

(b) Where the excluded employee's use of a privately owned automobile is authorized for travel to or from a common carrier terminal, and the automobile is not parked at the terminal during the period of absence travel, the employee may claim double the number of miles between the

terminal and the employee's headquarters or residence, whichever is less, at a rate as defined in Section 599.631(a), while the employee occupies the automobile for the distance between the terminal and his/her residence or headquarters. If the employee commences or terminates travel one hour before or after his/her regularly scheduled work day, or on a regularly scheduled day off, mileage may be computed from his/her residence. ~~If the employee terminates travel one hour after his/her regularly scheduled work day, or on a regularly scheduled day off, mileage may be computed to his/her residence.~~

(c) All ferry, bridge, or toll road charges will be allowed with any required receipts.

(d) All necessary parking charges while on state business will be allowed, with any required receipts, for:

(1) Day parking on trips away from the headquarters office and excluded employee's primary residence.

(2) Overnight public parking on trips away from the headquarters and excluded employee's primary residence, except that parking ~~should~~ shall not be claimed if expense-free overnight parking is available.

(3) Day parking adjacent to either a headquarters office, a temporary job site or training site, but only if the excluded employee had other reimbursable private or state automobile expenses for the same day. An ~~excluded~~ employee may not prorate weekly or monthly parking fees.

(e) Gasoline, maintenance and ~~routine~~ automobile repair expenses will not be allowed.

(f) The mileage reimbursement rates include the cost of maintaining liability insurance at the minimum amount prescribed by a law and collision insurance sufficient to cover the reasonable value of the automobile, less a ~~standard~~ deductible. When a privately owned automobile operated by state officer, agent or excluded employee is damaged by collision or is otherwise accidentally damaged, ~~reasonable~~ reimbursement for repair or the deductible to a maximum of \$500.00 will be allowed if:

(1) The damage occurred while the automobile was used on official state business by permission or authorization of the employing agency; and

(2) The automobile was damaged through no fault of the state officer, agent or employee; and

(3) The amount claimed is an actual loss to the state officer, agent or employee, and is not recoverable directly from or through the insurance coverage of any party involved in the accident; and

(4) The loss claimed does not result from a decision of a state officer, agent or employee not to maintain collision coverage; and

(5) The claim is processed in accordance with the procedures prescribed by the Department of Personnel Administration.

(g) Specialized Vehicles. An ~~excluded~~ employee with a physical disability who must

operate a motor vehicle on official state business and who can operate only specially equipped or modified vehicles may claim a rate of 24 cents per mile without certification and up to 37 cents per mile with certification. Where travel is authorized to and from a common carrier terminal, as specified in Section 599.631(b) the employee may compute the mileage as defined in Section 599.631(b). Supervisors approving these claims must determine the employee's need for the use of such vehicles.

NOTE: Authority cited: Sections 3539.5, 19815.4(d), 19816 and 19820, Government Code.
Reference: Section 11030, Government Code.

599.633.1 Travel Reimbursements While on Sick Leave, Vacation, Other Paid Leave, or Compensating Time Off (CTO) - Excluded Employees.

(a) When a state officer or employee is granted sick leave while away from his/her headquarters for purposes of state business, the appointing authority may approve such officer or employee to claim reimbursement for actual travel expenses not to exceed the maximums prescribed by these rules during such sick leave, for a period not to exceed three days. This time limitation may be extended in unusual cases approved by the appointing power, when either the employee is unable to travel, or when it is more economical for the state to maintain the employee on sick leave and travel status in order to complete the assignment.

(b) When a state officer or employee is authorized time off for vacation or CTO while away from his/her headquarters on state business, reimbursement for travel expenses during such vacation or CTO shall not be paid.

(c) The appointing power may make exceptions for employees on long term assignments for long term lodging expenses only that are incurred at the long term location and will continue during the employee's absence.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

599.633.1 Travel Reimbursements While on Sick Leave, Vacation, Other Paid Leave, or Compensating Time Off (CTO) - Excluded Employees.

(a) When a state officer or employee is granted sick leave while away from his/her headquarters for purposes of state business, the appointing authority may approve such officer or employee to claim reimbursement for actual travel expenses not to exceed the maximums prescribed by these rules during such sick leave, for a period not to exceed three days. This time limitation may be extended in unusual cases approved by the appointing power, when either the employee is unable to travel, or when it is more economical for the state to maintain the employee

on sick leave and travel status in order to complete the assignment.

(b) When a state officer or employee is authorized time off for vacation or CTO while away from his/her headquarters on state business, reimbursement for travel expenses during such vacation or CTO shall not be paid.

(c) The appointing power may make exceptions for employees on long term assignments for long term lodging expenses only that are incurred at the long term location and will continue during the employee's absence.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 11030, Government Code.

599.635.1 Attending Conferences, Conventions -Excluded Employees

For the purposes of this rule a conference or convention is a meeting, with a formal agenda, of persons to discuss or consult on specific work related subjects with the purpose of exchanging views, providing lecture or dialogue or providing or gaining skills and/or information for the good of the State.

(a) Under the direction of the Appointing Power, a State Sponsored Conference or Convention is planned and arranged by one or more state agencies for the benefit of the state and/or outside parties for the purpose of conducting State business. Specifically excluded is any event, meeting or gathering initiated by a state agency for dissemination of information to its own departmental employees. Costs and reimbursements for State Sponsored conferences are subject to the exclusions in (c) below. Approval for any individual employee's attendance or participation in a State Sponsored conference is at the sole discretion of the appointing authority. In planning and contracting any State sponsored conference, consideration is to be given to State-owned facilities and inter-agency meeting facilities, responsible scheduling, cost effective lodging and meal expenses, awareness of the public perception of state employee activities, and the overall mission of the event.

(1) Meals. Meals that are determined to be an integral part of the conference may be provided if the conference continues to be conducted while the meal is served and consumed. Conference planners may contract for the conference meals at reasonable meal rates and such costs may be included in registration fees for the event. Meals not included in registration fees or not provided as part of the conference will be reimbursable in accordance with 599.619. Meals provided shall not be claimed or reimbursed.

(2) Lodging. Lodging may or may not be negotiated as a part of the conference package. When it is appropriate to contract for lodging, rates will be negotiated in the best interest of the State, at the lowest rate possible to a maximum of \$110, and be based only on those individuals

who would normally spend the night considering the distance and duration of their travel status as defined in section 599.619.

(b) Non-state sponsored conference or convention

(1) At the discretion of the appointing power, and if not included in a registration fee or otherwise provided, and subject to the restrictions in item (c), employees may be reimbursed for actual meals and lodging expenses included in the conference, supported by receipts. Meals and lodging not contracted for the event shall be reimbursable at the rates set forth in 599.619.

(2) At the discretion of the appointing power, but in accordance with (c) below, registration fees may be reimbursed totally or in part, based on the State interest being served, the needs of the department and the costs incurred.

(c) Specifically excluded from this rule are:

(1) Meetings initiated by a department for employees of that same department.

(2) Conference meals that are secondary to the business being conducted, or that are optional, or that are organized for social purposes.

(3) Any activities or expenses related to recreation, sports, entertainment or tourism.

(4) Any expense for alcoholic beverages.

NOTE: Authority cited: Sections 19815.4(d), 19816, and 19820, Government Code. Reference: Section 11030, Government Code.

599.636.1 Return of Deceased Employees - Excluded.

When a state officer or employee dies while travelling on official state business, reimbursement may be claimed for actual and reasonable expenses incurred in transporting, in state, the remains to the place of burial, (up to the amount necessary to return the remains) or to the official headquarters of the deceased. Claims for the reimbursement of such expenses shall be submitted to the State Controller by the person responsible for payment of the funeral expenses. Each claim shall bear a certification by the appointing power that the employee was travelling on official state business at the time of his/her death. Actual costs of the following will be considered necessary travel expenses for which reimbursement will be made.

(a) In all cases, regardless of mode of transportation:

(1) Telephone or telegraph charges for shipment arrangements.

(2) Transportation of the remains to the funeral home and preparing the remains for shipment.

(b) When a portion of the shipment is by common carrier.

(1) Transportation by common carrier to the receiving point nearest the official headquarters or place of burial in the state where headquartered.

(2) Transportation one way from a funeral home to a shipping station and from the receiving station determined by paragraph (1) above to the headquarters location or place of burial, as applicable.

(3) Outside transportation case or metal transfer case as required.

(c) When shipment is made by funeral coach alone, reasonable transportation costs for mileage one way, from the pick-up point to the city in which the official headquarters of the deceased was located, or to the place of burial in that state, whichever is designated by the surviving responsible party.

NOTE: Authority cited: Sections 19815.4(d), 19816, and 19820, Government Code. Reference: Sections 19849.3 and 19463, Government Code.

599.638.1 Expense Claim Form - Excluded Employees.

(a) No travel expense claim shall be paid unless submitted on a Travel Expense Claim, Standard Form 262 or some other form approved by the Controller. All expense claims shall be itemized, accompanied by the necessary receipts and supporting documentation and approved by the authorized officer(s). It is the responsibility of the officer approving the claim to ascertain the necessity and reasonableness of incurring expenses for which reimbursement is claimed and that the expenses claimed are in compliance with these regulations.

(b) Expense claims shall be submitted at least once a month and not more than twice a month. If the amount claimable for any month does not exceed \$10, the filing may be deferred until the total amount claimable exceeds \$10 or until June 30, whichever occurs first. Travel expenses claimed for July 1 and beyond must be on a separate travel expense claim from those claimed for June 30 or earlier. Expense claims totaling less than \$1 shall not be submitted or paid.

(c) Each officer and employee making a claim for travel expenses must show the inclusive dates of each trip for which allowances are claimed and the times of departure and return. Time of departure and return means the time employee starts from or returns to his/her office or, when leaving on a trip or returning from a trip without going to the office, his/her home.

(d) Each officer and employee must state the purpose of each trip for which reimbursement is claimed, and for each meal for which reimbursement is claimed under Sections 599.622.1, 599.623.1 or 599.635.1.

(e) Each state officer and employee must show his/her headquarters address and primary dwelling address on the Travel Expense Claim. Employees claiming subsistence expenses pursuant to Section 599.619.1(b)(1) will show their headquarters address as the address of their primary dwelling.

(f) Each claim for the payment of travel expenses shall contain a certification as follows: I

hereby certify that the above is a true statement of the travel expenses incurred by me in accordance with Department of Personnel Administration regulations in the service of the State of California, and that all items shown were for the official business of the State of California.

NOTE: Authority cited: Sections 19815.4(d), 19815, and 19820, Government Code. Reference: Section 11030, Government Code.

1996 EXCLUDED EMPLOYEE RELOCATION RULE REVISIONS - SUMMARY

Attached are the proposed excluded employee rule revisions. Currently, the only rule dedicated to excluded employees is 599.722. That rule will reflect the strikeouts and underscores of the revisions. All other relocation rules are currently generic, applying to both represented and excluded employees. The new rules that are completely underlined are *based* on the numerically corresponding existing rule. For example, 599.714.1 Scope - Excluded is based on the generic rule 599.714 Scope. This summary will help you pick out the actual changes in those rules that are totally underscored.

This package does not contain rules that apply to represented employees or non-state employees such as those being newly hired into state service.

599.714.1 - Scope - Excluded Employees

- (a) Language added for clarification purposes.
- (b) Establishes specific conditions under which the reimbursement of 100% of allowable relocation expense is mandatory, adds new distance requirement of 50 miles plus old commute, deletes obsolete 35 mile reference. Removes transfer after receipt of layoff notice from 100% mandatory reimbursement.
- (c) Language changed for clarification purposes.
- (d) Adds to the program the feature of partial to full reimbursement of relocation expenses for those appointments that do not meet the criteria for mandatory 100% reimbursement under revised (a) and (b), but are deemed by the appointing power to be of sufficient benefit to the State to justify incurring some or all of the costs of the move.

Note: Additional management role in partial relo reimbursements:

- determination of which items and how much
 - completion of detailed authorization for partial reimbursement
- Additional administrative work on partial relos:
- somewhat higher level of review than 100% reimbursements
 - in matching claims with authorization

599.715.1 - Reimbursement of Miscellaneous Expenses-Excluded Employees

Minor language changes to accommodate receipt requirement (current policy) and establishes a time frame for incurring reimbursable expenses. Other edits for clarification only.

599.716.1 - Reimbursement for Sale of a Residence - Excluded Employees

Adds clarification language to reflect current policy that commissions and fees will not be paid to employee, members of household or spouse's employer. (current policy)

599.717.1 Settlement of a lease- Excluded Employees

- (a) Provides 9 months to submit claim, no extension, previously 6 months with 3 month extension of approved by DPA. (eliminates an exception process)
- (b) Extends rule to include reimbursement to a maximum of 30 days penalty on a month-to-month rental agreement if the State gave the employee insufficient notice of relocation to avoid penalty. (new)

599.718.1 Expenses for Moving Household Effects - Excluded Employees

Loosens definition of household effects, gives appointing power discretion to approve other items to be moved with household goods. Appointing power may approve weight over 11,000 lbs up to 23,000. Establishes maximum allowable state paid weight at 23,000 lbs.

Note: Adds flexibility to move items not among the list of "household goods", which adds another type of exception (will revise 256)

599.719.1 Reimbursement for Moving Household Effects - Excluded Employees

Restricts movement of household goods to no more than 50 miles beyond the new headquarters and no out of state or out of country moves unless approved by apptg. power.

- (a) Increases valuation for insurance, Provides that additional weight in excess of 11,000 lbs may be approved by the appointing power, to a maximum of 23,000 lbs. (currently delegated)
- (b) Increases rate at which a commercial quote is required for a self move in a commercial vehicle from \$300 to \$1000, reduces number of commercial quotes from 3 to 1
- (c) Adds option of claiming the State mileage rate if moving household goods exclusively in one's own private vehicle.
- (d) Adds time limit for submission of claims.

Note: provides employer discretion on moves beyond headquarters, greater employee flexibility on self moves, places exception process at department level.

SPECIAL NOTE REGARDING PARTIAL REIMBURSEMENTS:

If only a portion of the cost of the movement of household goods is going to be

reimbursed, the department must not issue the STD 255, Moving Service Authorization. The employee is required to incur the expense of the movement of household goods and then submit a receipted claim for reimbursement. The Moving Service Authorization form tells the movers that the State will pay the moving bill directly; no payment is required of the employee, except for disallowed items or excess unapproved weight. Thus, the form should only be issued for moves that require 100% reimbursement and for those others that the department has committed to pay 100% of the cost of moving the household goods.

599.720.1 Reimbursement for Movement of a Mobile Home

Increases \$2,000 limit on tear down and set up to \$2,500; may be exceeded by exception of Appointing Power.

Allows for separate shipment of household goods if most economical method.

Provides for reimbursement of gas receipts on self move.

Adds time limit for submission of claims.

599.722 Relocation Subsistence and Mileage Reimbursement - Excluded Employees

By reference to 599.619, for meal and lodging reimbursements, this rule eliminates non-receipted lodging rate of \$24.99 accompanied by full meal/incidentals.

In order to claim full meals, a lodging receipt must be submitted for lodging expenses.

Otherwise, the noncommercial rate may be claimed.

Clarifies "permanent residence".

provides for up to 30 days extension after 60 days of meals and lodging while looking for a permanent residence at the new location, providing the employee has not claimed the dollar equivalent of 60 days full meals and lodging;

provides for up to 14 days meals and lodging for pre-move house-hunting, on employee's own time; number of days reimbursed to be deducted from the 60 days after move.

599.724.1

minor clarification language only.

DEPARTMENT OF PERSONNEL ADMINISTRATION

Article 7. Moving and Relocation Expenses

599.714.1 Scope - Excluded Employees.

(a) Whenever a permanent state officer or employee is required by any appointing power because of a change in assignment, promotion or other reason related to his/her duties, to change his/her place of residence, such officer, agent or employee shall receive reimbursement of his/her actual and necessary moving and relocation expenses incurred by him/her both before and after and by reason of such change of residence, subject to the provisions and limitations of this article.

(b) For the purposes of this article, a move occurs on the official reporting date to the new headquarters, and when a change in residence is reasonably to be required. Relocation shall be paid, when the following conditions are met:

(1) The officer's or employee's officially designated headquarters is changed for the advantage of the State, which includes the following:

(A) A promotion offered by any appointing authority, not including those movements that the employee could make through transfer, reinstatement or reemployment eligibility; or

(B) An involuntary transfer initiated by and at the discretion of the appointing authority.

(C) Any involuntary transfer required to affect a mandatory reinstatement following:

(I) termination of a career executive or exempt appointment

(II) leave of absence

(III) rejection from probation

(D) any involuntary transfer required to affect a mandatory reinstatement following the expiration or involuntary termination of a temporary appointment, limited term appointment or training and development assignment when:

(I) the employee did not relocate to accept the appointment or assignment, or

(II) the employee did relocate, at State expense, to accept the appointment or assignment.

(2) The move must be a minimum of 50 miles plus the number of miles between the old

residence and the old headquarters.

(3) Relocations that meet the above criteria will be fully reimbursed to the extent and limitations in this article.

(c) A change of residence is not deemed reasonably to be required for voluntary transfers or permissive reinstatements, with or without a salary increase, in response to general requests which specify that moving and relocation expenses will not be paid, or for any non-promotional transfer which is primarily for the benefit of the officer or employee.

(d) When an appointment does not meet the criteria in (a) and (b) the appointing power may, at his/her discretion, determine in advance that it is in the best interest of the State to reimburse all or part of the actual reasonable and necessary relocation expenses provided in this article as an incentive to recruit employees to positions that are designated by the appointing power as difficult to fill or because of outstanding qualifications of the appointee, or due to unusual and unavoidable hardship to the employee by reason of the change of residence.

(1) Relocations that meet this criteria shall be reimbursed only for the items in this article specifically authorized by the appointing power and may be subject to further limitations designated by the appointing power.

(2) Upon determination that any reimbursement will be made, the appointing power shall:

(A) Determine which provisions will apply to the relocation and establish any additional limitations to those provisions such as dollar limits, weight limits or time limits.

(B) Notify the employee, in writing, of specific allowable reimbursements prior to the move.

(e) Requirements and limitations specified in this article may not be waived or exceeded by the appointing power.

(f) Unauthorized relocation expenses and relocation expenses incurred prior to receipt of a written notice of allowable relocation expenses are the responsibility of the employee.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 19841, Government Code.

599.715.1. Reimbursement for Miscellaneous Expenses - Excluded Employees.

An officer or employee who is required to change his/her place of residence according to Section 599.714.1 may receive reimbursement for up to \$200 for miscellaneous expenses upon submittal of documentation of the payment of all such expenses and certification that the expenses were related to dissolution of the old household and/or the establishment of a new household and were not otherwise reimbursed.

(a) Reimbursement for the installation and/or connection of appliances or antennas purchased after the change of residence shall be allowed provided no claim is made for installation and/or connection of a similar item in the movement of household goods, and installation and/or connection occurs within sixty days of the establishment of a new residence.

(b) Deposits are not reimbursable.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 19841, Government Code.

599.716.1 Reimbursement for Sale of a Residence - Excluded Employee.

(a) Whenever a state officer or employee is required, as defined in Section 599.714.1 to change his/her officially designated headquarters and this requires the sale of his/her residence the officer or employee shall be reimbursed only for actual and necessary selling costs as determined by prevailing practices within the area of sale. Claims for reimbursement must be substantiated by the seller's closing escrow statement and other pertinent supportive documents. Seller's points are not eligible for reimbursement. Claims will include only those items which are listed in the following subsection.

(b) Actual and necessary selling costs are:

(1) Brokerage commission; and

(2) Title insurance; and

(3) Escrow fees; and

(4) Prepayment penalties; and

(5) Taxes, charges or fees fixed by local authority required to consummate the sale of the residence; and

(6) Miscellaneous sellers costs customary to the area, not to exceed \$200.

(c) Actual and necessary selling costs will be reimbursed for that portion of the dwelling the employee actually occupies if the employee or officer owns and resides in a multi-family dwelling.

(d) Commissions and fees will not be reimbursed if paid to the employee, the employee's spouse or the spouse's employer, or to any member of the household.

(e) Claims for the sale of a residence must be submitted within two years following the date the officer or employee reports to the new official headquarters. No extensions will be allowed thereafter.

(f) Rebates to employees will be deducted from the claim prior to reimbursement.

NOTE: Authority cited: Sections 3517.8, 19815.4(d), 19816 and 19820, Government Code. Reference: Section 19841, Government Code.

599.717.1 Settlement of a Lease - Excluded Employee

(a) Whenever an officer or employee is required, as defined by Section 599.714.1(a) to change his/her place of residence and such change requires the settlement of a lease on the employee's old residence, the officer or employee shall receive the actual and necessary cost of settlement of the unexpired lease to a maximum of one year. In no event shall the lease settlement include any costs, deposits or fees.

(1) Reimbursement shall not be allowed if it is determined that the officer or employee knew or reasonably should have known that a transfer according to Section 599.714.1 was imminent before entering into a lease agreement.

(2) Claims for settlement of a lease shall include a lease agreement signed by both the employee and the lessor, and shall be itemized and submitted within nine months following the new reporting date.

(b) If an employee is required under 599.714.1(a) to change his/her place of residence and such notice to the employee is insufficient to provide the employee the notice period required by a month to month rental agreement, reimbursement may be claimed for the number of days penalty paid by the employee to a maximum of 30 calendar days.

(1) Reimbursement shall not be allowed for days that the employee failed to notify the landlord after notification by the employer of the reassignment.

(2) Claims shall be accompanied by a copy of the rental agreement, an itemized receipt for the penalty and the name and address of the individual or company to which the rental penalty has been paid.

(c) No reimbursement shall be made for forfeiture of cleaning or security deposits, or for repair, replacement or damages of rental property.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 19841, Government Code.

599.718.1 Expenses for Moving Household Effects - Excluded Employees.

(a) For the purpose of these regulations, household or personal effects include items such as furniture, clothing, musical instruments, household appliances, food, and other items which are usual or necessary for the maintenance of one household.

(b) Household effects shall not include items connected to a for profit business, items from another household, items that are permanently affixed to the property being vacated or items that would normally be discarded or recycled.

(c) At the discretion of the appointing power, other items may be considered household

effects based on a consideration of the estimated cost of the move and a review of the items listed on the inventory. Expenses related to moving items other than those described in (a) that have not been approved by the appointing power shall be the responsibility of the employee.

NOTE: Authority cited: Sections 19815.4(d), 19816 and 19820, Government Code. Reference: Section 19841, Government Code.

599.719.1 Reimbursement for Moving Household Effects - Excluded Employees.

Reimbursement shall be allowed for the cost of moving an employee's effects either via commercial household goods carrier or by the employee. Reimbursements under this rule shall not exceed the cost of moving the employee's household goods from the old residence to the new headquarters plus 50 miles unless the appointing authority determines that a longer move is in the best interest of the State. Any additional expense associated with an interstate or intercountry move shall be approved in advance by the appointing power. No reimbursement will be allowed for the hiring of casual labor.

(a) When the employee retains a commercial mover, reimbursement for actual and necessary expenses incurred by a commercial mover under this article for the packing, insurance, one pickup, transportation, storage-in-transit (not including warehouse handling charges except when required by interstate tariffs), one delivery, unpacking, and installation at the new location of an employee's household effects shall be allowed subject to the following:

(1) Weight of household effects for which expenses may be reimbursed shall not exceed 5,000 kilograms (11,000 pounds).

(2) Duration of storage-in-transit for which charges may be reimbursed shall not exceed 60 calendar days unless a longer period of storage is approved in advance by the appointing authority based on hardship to the employee.

(3) Rates at which reimbursement is allowed shall not exceed the minimum rates, at the minimum declared valuation, established by the California Public Utilities Commission for household goods carriers, unless a higher rate is approved by the Department of General Services.

(4) Cost of insurance for which reimbursement is allowed shall not exceed the cost of insurance coverage at \$ 2.00 valuation for each pound of household effects shipped by household goods carrier.

(5) Claims for exceptions to the 11,000 pounds statutory limit will be considered by the appointing authority, up to a maximum of 23,000 pounds, only when it has been determined that every reasonable effort had been made to conform to the limit. Exceptions to the number of pickups and deliveries may be made by the appointing power when it is reasonably necessary and in the

best interest of the state.

(b) When the employee does not retain a commercial mover, reimbursement shall be allowed as follows for expenses related to the movement by the employee of his/her household effects in a truck or trailer.

(1) Rental of a truck or trailer from a commercial establishment. When not included in the truck rental rate, the cost of gasoline, rental of a furniture dolly, packing cartons and protective pads will be reimbursed. If the total costs exceed \$1,000 the claim must be accompanied by at least one written commercial rate quote. Reimbursement will be made at the rate (including gasoline) which results in the lowest cost; or

(2) Mileage reimbursement at the rates provided in Section or 599.631.1(b) for noncommercial privately-owned motor vehicles used in transporting the employee's household effects.

(3) Reimbursement for more than one trip by the method described in (b)(1) or (2) above may be allowed if the employee's agency has determined that the total cost would be less than the cost of movement by a commercial household goods carrier.

(c) If household goods are moved exclusively in the employee's personal vehicle, reimbursement for mileage may be claimed at the State mileage rate. No other mileage or moving expense shall be allowed.

(d) All claims for the reimbursement of the movement of household goods require receipts. Unless an exception is granted by the appointing authority, claims shall be submitted no later than 2 years and 60 days from the effective date of appointment or 15 days prior to voluntary separation, whichever is first.

NOTE: Authority cited: Sections 19815.4(d), 19816, and 19820, Government Code. Reference: Section 19841, Government Code.

599.720.1 Reimbursement for Movement of a Mobile Home - Excluded Employees.

For the movement of a mobile home which contains the household effects of an officer or employee, and has served as the employee's residence at the previous location at the time of notification of relocation, reimbursement will be allowed as follows:

(a) Where transportation of the trailer coach is by a commercial mobile home transporter and receipts are submitted:

(1) For tolls, taxes, charges, fees or permits fixed by the State or local authority required for the transportation or assembly of trailer coaches actually incurred by the employee.

(2) Charges for disassembly and assembly of the trailer, including but not limited to, disassembly and assembly of trailer, skirts, awnings, porch, the trailer coach itself and other

miscellaneous documented, itemized expenses related to the dissolution of the old household and/or the establishment of the new household, up to \$2,500 unless an exception is approved by the appointing power.

(3) Reimbursement will be allowed for the actual cost supported by voucher of rental and installation of wheels and axles necessary to comply with the requirements of Chapter 5, Article 1 of the California Vehicle Code.

(4) Three competitive bids shall be obtained and reimbursement will be approved at the lowest bid. Based on information documenting the attempt to obtain three bids as provided by the employee, the appointing power may waive the three bid requirement.

(5) Reimbursement received under this section precludes any additional reimbursement for miscellaneous expenses under Section 599.715.1.

(6) Movement of the trailer coach at rates not exceeding the minimum rates established by the California Public Utilities Commission for mobile home transporters:

(7) Charges at P.U.C. minimum rates to obtain permits identified above;

(8) Storage-in-transit for up to 60 calendar days at P.U.C. minimum rates, unless an extension is approved by the appointing authority.

(b) Where transportation of the coach is by the employee, expense may be claimed for a one-way trip by submitting gasoline receipts.

(c) Reimbursement will not be allowed for:

(1) Purchase of parts and materials except for those items necessary to comply with minimum requirements of the California Administrative Code, Title 25, Chapter 5.

(2) Repairs including tires and tubes, and breakdown in transit.

(3) Costs associated with maintenance or repair of the trailer coach.

(4) Costs for separate shipment of household effects by a household goods carrier unless that is determined to be the most economical method of transport.

(5) Costs associated with the movement of handling of permanent structures.

(d) All claims related to the movement of a trailer coach and the household goods therein require receipts and shall be submitted no later than 2 years and 60 days from the effective date of appointment, or 15 days prior to voluntary separation, whichever is first. No extensions will be granted.

NOTE: Authority cited: Sections 19815.4(d), 19816, and 19820, Government Code. Reference: Section 19841, Government Code.

599.722. Relocation Allowance Subsistence Reimbursement and Mileage --~~Nonrepresented Excluded~~ Employees.

~~An excluded employee is defined in Section 599.619.~~

(a) If eligible under Section 599.714(a), an officer or employee shall be reimbursed for actual lodging, supported by a receipt, and meal and incidental expenses in accordance with and not to exceed the rates established in Section 599.619(a)(1) and (2), ~~or 599.619(c)(1), or 599.619(d)~~ while locating a permanent residence at the new location. ~~A receipt is required for any item of expense in excess of \$24.00.~~ Employees who do not furnish receipts for lodging may be reimbursed for noncommercial meals and noncommercial lodging in accordance with 599.619(b). A permanent residence is typically an abode that is purchased, or rented on a monthly basis, of a type that provides long-term living accommodations, where any utilities are hooked up (gas, electric, cable, phone), and mail is delivered. A receipt is required for any item of expense in excess of \$24.00.

(1) ~~The allowance Reimbursement may not be claimed for more than up to 60 days, unless except an extension of up to 30 days may be granted when the Director of the Department of Personnel Administration.~~ Appointing power has determined in advance that the delay of change of residence will is a result in of unusual and unavoidable hardship for circumstances that are beyond the control of the officer or employee, and determined. ~~The maximum allowance reimbursement to be received by said officer or employee shall not exceed the equivalent dollar amount of 60 days of full meals, incidentals, and receipted lodging.~~

(2) Interruptions in relocation caused by sick leave, vacation or other authorized leaves of absence shall be reimbursable at the option of the employee providing the employee remains at the new location and is actively seeking a permanent residence.

(3) The relocation ~~allowance~~ subsistence reimbursement shall terminate immediately upon establishment of a permanent residence. ~~The department~~ appointing power shall determine when a permanent residence has been established.

(4) Partial days shall count as full days for the purpose of computing the 60-day period.

(b) Upon approval of the Appointing Power, meals and/or lodging Expenses, for up to fourteen days, arising from trips to the new location for the sole purpose of locating housing shall be reimbursed in accordance with Section 599.619(a)(1) and (2), or 599.619(c)(1), or 599.619(d). Claims for reimbursement of meals/lodging expenses in this item are limited to those incurred after receipt of formal written authorization for relocation and prior to the effective date of appointment.

The period claimed shall be included in the computation of the 60-day relocation period.

(c) Reimbursement for travel from the old residence to the new headquarters may be claimed one way one time and shall not exceed the mileage rate allowed in 599.631(a).

Note: Authority cited: Section 3539.5, Government Code. Reference: Section 19841, Government Code.

599.724.1 Payment of Claims for Moving and Relocation Expenses-Excluded Employees.

(a) The Department of Personnel Administration shall be responsible for prescribing any specific procedures necessary for effective and economical operation of this article. Claims shall be made on authorized forms, scheduled in the normal manner and submitted through regular channels to the State Controller for payment. All claims must be substantiated by invoices, receipts or other evidence for each item claimed.

(b) Agencies may contract directly with the carrier for movement of household effects of officers and employees at state expense, subject to the same restrictions as if the shipment was arranged by the officer or employee and reimbursed by the State.

(c) If the change in residence results in the salary of the officer or employee being paid by a different appointing power, all allowable moving and relocation expenses shall be paid by the new appointing power except where the old appointing power agrees to pay all or part of the expenses allowable under this Article.

(d) Each department shall be responsible for insuring that upon notice to the employee of an impending move, a copy of these rules shall be given to the officer or employee.

(e) When exceptions have been granted by an appointing authority, the written justification of those exceptions shall be maintained with the applicable claims.

NOTE: Authority cited: Sections 19815.4(d), 19816, and 19820, Government Code. Reference: Section 19841 and 19842, Government Code.